



Attorney Docket No.: P-4815-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): CHAIN, Daniel G. et al. Examiner: Patricia A. Duffy
Serial No.: 10/084,380 Group Art Unit: 1645
Filed: February 28, 2002
Title: SPECIFIC ANTIBODIES TO AMYLOID BETA PEPTIDE,
PHARMACEUTICAL COMPOSITIONS AND METHODS OF USE
THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is filed in response to the Restriction Requirement dated July 14, 2004 issued by the United States Patent and Trademark Office in connection with the above-identified Application. A response to the July 14, 2004 Office Action was due August 14, 2004. Applicants are concurrently filing a Petition for a 4-Months Extension of Time, including the required fee. Therefore, a response is due December 14, 2004. Accordingly, this Amendment is being timely filed.

Applicants elect with traverse to prosecute Claims 20-25, 52, 56, 60, 64, 68 and 72 of Group II drawn to method of delaying, inhibiting or suppressing neurotoxicity of amyloid beta by administering an antibody that binds amyloid beta peptide classified in class 424, subclass 130.1. The Examiner noted claim 20 to be generic.

The election is made with traverse for the following reasons. The mere fact that antibody that binds amyloid beta peptide can be used with the treatments of the invention

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does not affect the general nature of the systems. Accordingly, it is respectfully asserted that the resultant search of I-III together would not be in divergent search fields and would not be burdensome on the Examiner.

In addition, the Examiner asserted that the claims allegedly contain patenably distinct species of the claimed invention.

In response, Applicants have elected **Species A of Group III**: antibody binds free end N-terminus truncation of amyloid β .

Applicants reserve all rights in these non-elected claims, to file divisional and/or continuation patent applications.

If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Please charge any fees associated with this paper to deposit account No. 05-0649.


Respectfully submitted,

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Dated: December 2, 2004

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